

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

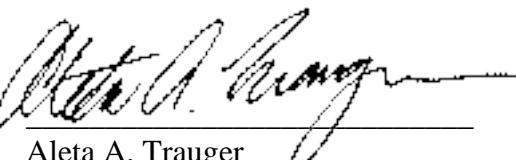
CHRISTOPHER BRITTON ]  
Petitioner, ]  
] v. ] No. 3:05-0509  
] Judge Trauger  
UNITED STATES OF AMERICA ]  
Respondent. ]

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds that the petitioner's § 2255 Motion to Vacate, Set Aside or Correct Sentence is untimely. Accordingly, the petitioner's Motion is DENIED and this action is hereby DISMISSED.

Should the petitioner file a timely Notice of Appeal, such Notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner is unable to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.



Aleta A. Trauger  
United States District Judge